

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 379 of 2015

And

M.A. No. 913 of 2015

In

Original Application No. 383 of 2015

And

Original Application No. 247 of 2015

(M.A. No. 617/2015)

And

Original Application No. 147 of 2015

(M.A. No. 522 of 2015)

And

M.A. No. 6 of 2013

In

Original Application No. 61 of 2012

And

Original Application No. 78 of 2014

(M. A. NO. 193 OF 2014 & M. A. NO. 279 OF 2015)

And

Original Application No. ~~197 of 2014~~

(M.A. No. 367 of 2015)

(Corrected vide order dated 15/9/15)

IN THE MATTER OF:-

Bhupesh Sehgal & Ors. Vs. Delhi Development Authority & Ors.

And

Bhagwan Das Girdhar Vs. Krishan Lal Sachdeva & Pooja & Ors.

And

Management Committee of the Aggarwal Co-operative
Group Housing Society Ltd.

Vs.

D.D.A. & Ors.

And

Vivekanand Apartments Residents Welfare Association

Vs.

DDA & Anr.

And

Dr. Arvind Gupta Vs. Union of India & Ors.

And

Senior Citizen Welfare Association (Regd.) Vs. Govt. of India & Ors.

And

~~Aviation Employees Co-operative House Building Society Ltd. Vs. Commissioner,~~

~~EDMC~~

Rohan Yadav vs. DDA & Anr. (Corrected vide order dated 15/9/15)

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE Mr. RANJAN CHATTERJEE, EXPERT MEMBER

Item No. 3

Present: Applicant: Ms. Vandana Sehgal, Adv.
Respondent No. 1: Mr. Rajiv Bansal, Mr. Kush Sharma and Mr. Siddhant Gupta, Advs.
Respondent No. 2: Mr. Parag Tripathi, Sr. Adv., Mr. R. Sasi Prabhu, Mr. Raghav Shakar and Mr. Biju P. Raman, Advs.
Respondent No. 3: Ms. Puja Kalra, Adv.
Respondent No. 4: Mr. Nishant Memon, Ms. Saloni Gupta, Ms. Kavita Sarin and Mr. Shafiq Ahmed, Advs.
Mr. B.V. Niren, Adv. for DOT
Mr. Rajkumar, Adv. Mr. S.L. Gundli, SLO

Item No. 4

Present: Applicant: Applicant in person.

Item No. 7

Present: Applicant: Ms. Eshu Choudhary, Adv.
 Respondent No.1: Mr. Dhruv Tamta, Mr. Rajiv Bansal and Mr. Siddhant Gupta, Adv.
 Respondent No. 6: Mr. Shashank Bhushan, Mr. Adiya Narain and Mr. Arnav Narain, Adv.
 Mr. Balendu Shekhar, Adv. for SDMC

Item No. 11

Present: Applicant: Mr. N.K. Sharma, Adv. and Mr. Vivekanand, Applicant
 Respondent No. 1: Mr. Rajiv Bansal, Mr Kush Sharma and Mr. Siddhant Gupta, Adv. for DDA
 Respondent No. 2: Mr. Nishant Menon, Ms. Saloni Gupa, Ms. Kavita Sarin and Mr. Shatiq Ahmed, Adv.
 Respondent No. 6 : Ms. Panchajanya Batra Singh, Adv. For MoEF & CC
 Mr. Ardhendumauli Kumar Prasad, Adv. for DOT

Item No. 12

Present: Applicant: Mr. Raj Panjwani, Sr. Adv., & Mr. Rahul Choudhary, Adv.
 Respondent No. 1: Mr. Vikas Malhotra and Mr. M.P. Sahay, Adv.
 Respondent No. 3: Mr. Ardhendumauli Kumar Prasad, Adv.
 Respondent No. 4: Mr. Sandeep Gupta and Mr. Sayani Sen, Adv.
 Respondent Nos. 6, 7&8: Mr. Navin Chawla & Mr. Ketan Paul, Adv.
 Respondent Nos. 9&10: Ms. Shally Bhasin and Mr. Paras Anand, Adv.
 Respondent No. 12: Mr. Piyush Sharma and Mr. Aditya N. Prasad, Adv.
 Mr. Vikas Malhotra and Mr. M.P. Sahay, Adv.
 Mr. Rajiv Bansal, Mr Kush Sharma and Mr. Siddhant Gupta, Adv. for DDA

Item No. 13

Present: Applicant: Mr. Rupendra Singh and Mr. J.N. Singh, Adv.
 Respondent No. 1: Ms. Panchajanya Batra Singh, Adv.
 Respondent Nos.2,3, 4: Mr. Balendu Shekhar and Mr. Akshay Abrol, Adv
 Respondent No. 7: Mr. Ardhendumauli Kumar Prasad, Adv.

Item No. 24

Present: Applicant: Mr. Rohan Yadav, Adv.
 Respondent No. 1: Mr. Rajiv Bansal, Mr Kush Sharma and Mr.Siddhant Gupta, Adv. for DDA
 Mr. Ardhendumauli Kumar Prasad, Adv.

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 03, 4,7,11,12, 13&24</p> <p>September 09, 2015</p>	<p><u>Original Application No. 379 of 2015</u></p> <p>At the oral request of the Learned counsel appearing for the Applicant, the Department of Telecommunication at New Delhi is impleaded as Respondent No. 7 and Central Pollution Control Board is impleaded as Respondent No. 8.</p> <p>Learned counsel appearing for the Applicant is</p>

directed to amend the Memo of Parties in the matter.

Learned counsel appearing for the respective Respondents waive service, accept Notice and pray to file the Reply. Let the Reply be filed within two weeks from today.

We direct all the Respondents particularly Respondent No. 1, 6, 7 and 8 to take a clear instructions as to whether the construction and operations of mobile towers particularly in densely populated area or in the park of such locality would be injurious to the human health or environment, if so the extent of such injury and remedies therefor.

List this matter for final hearing on 15th and 16th September, 2015.


M.A. No. 913 of 2015 In Original Application No. 383 of 2015, Original Application No. 247 of 2015 (M.A. No. 617/2015), Original Application No. 147 of 2015 (M.A. No. 522 of 2015), M.A. No. 6 of 2013 In Original Application No. 61 of 2012, Original Application No. 78 of 2014 (M. A. NO. 193 OF 2014 & M. A. NO. 279 OF 2015) & Original Application No. 197 of 2014

Parties at liberty to place on record by virtue of a separate note/submission ^{answers} as to the following issues:-

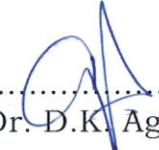
1. Whether the electromagnetic radiation from mobile towers is a pollutant
2. Whether such radiation is injurious to human health and environmentally hazardous.
3. Remedies and steps that are required to be taken for preventing environment and health hazards resulting from such activity.

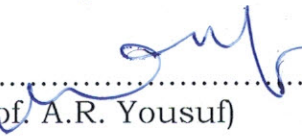
Note filed by
Applicant in
DA 379/15

List these matters on 15th and 16th September, 2015.


.....,CP
(Swatanter Kumar)


.....,JM
(U.D. Salvi)


.....,EM
(Dr. D.K. Agrawal)


.....,EM
(Prof. A.R. Yousuf)


.....,EM
(Ranjan Chatterjee)